

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

GALDERMA LABORATORIES, L.P. §  
and GALDERMA S.A., §  
Plaintiffs, §

v. §

ACTAVIS MID-ATLANTIC, L.L.C., §  
Defendant §

CAUSE NO. 3-06CV1176-N

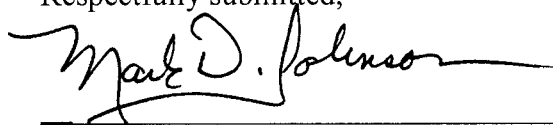
**MOTION TO DISMISS WITHOUT PREJUDICE**

Plaintiffs, GALDERMA LABORATORIES, L.P. and GALDERMA S.A. (collectively, “Galderma”) file this Motion to Dismiss Without Prejudice, and respectfully state the following:

1. This suit was filed on June 30, 2006.
2. Galderma’s Original Complaint indicates this suit was to be filed in Northern District of Texas, *Fort Worth Division*. Due to a clerical error, the Complaint was filed in the Northern District of Texas, *Dallas Division*.
3. On July 3, 2006, Galderma filed a Motion to Transfer Venue to Correct Clerical Error (the “Motion to Transfer Venue”), requesting the Court to transfer this suit to the Fort Worth Division of the Northern District of Texas.
4. In lieu of ruling on Galderma’s Motion to Transfer Venue, Galderma requests the Court, at its earliest convenience, to dismiss this suit without prejudice.

WHEREFORE, Galderma respectfully requests that the Court dismiss this suit without prejudice.

Respectfully submitted,



Mark D. Johnson  
Texas State Bar No. 10770175

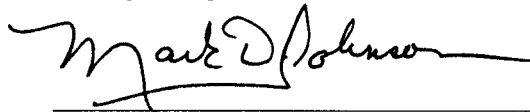
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**ATTORNEYS FOR PLAINTIFFS  
GALDERMA LABORATORIES, L.P.  
AND GALDERMA S.A.**

**CERTIFICATE OF CONFERENCE**

As of the time of filing, Galderma has not served Actavis with process in this suit, and has not spoken with any attorney retained by Actavis in connection with this matter. As such, the undersigned has been unable to confer with Actavis regarding the merits of this suit.



Mark D. Johnson

**CERTIFICATE OF SERVICE**

As of the time of filing, Galderma has not served Actavis with process in this suit, and has not spoken with any attorney retained by Actavis in connection with this matter. As such, the undersigned is unable to forward a copy of this document to counsel for Galderma.



Mark D. Johnson